## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE,

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In re Application of: ZVONK PREZ. BANDIC ET AL.

Serial No.: 10/668,624

Filed: 23 SEPTEMBER 2002783

For: HARD DISK DRIVE WITH TRANSPARENT COVER, FLASHING DEVICE, AND WITH SPECIALLY DECORATED TOP PLATE OR HUB FOR STORAGE APPLICATIONS WITH A VISUALLY OBSERVABLE DISK Attorney Docket No.: HSJ920030180US1

**Examiner: DAVID DONALD DAVIS** 

Confirmation No.: 2184

Art Unit: 2652

## **SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Mr. Davis:

Pursuant to an Office Action dated November 29, 2005, with a shortened statutory period ending February 28, 2006, Applicants submit a Terminal Disclaimer along with the required fee for filing same.

Please charge the Terminal Disclaimer fee under 37 C.F.R. 1.20(d) of \$130.00 to HITACHI Global Storage Technologies' Deposit Account No. 50-2587.

Respectfully submitted,

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## CERTIFICATE OF MAILING BY EXPRESS MAIL 37 CFR 1.8 (a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as Express Mail No. EQ 343866802 US in an envelope addressed to MAIL STOP - NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Dexandria, VA 22313-1470.

February 23, 2006

Date

Signature of Betty J. Kirk



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PTO/SB/26 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Docket Number (Optional) DISCLAIMER TO OBVIATE A DOUBLE PATENTING **TERMINAL** HSJ920030180US1 **REJECTION OVER A "PRIOR" PATENT** In re Application of: ZVONIMIR Z. BANDIC ET AL. Application No.: 10/668,624 Filed: SEPTEMBER 23, 2003 For: HARD DISK DRIVE WITH TRANSPARENT COVER, FLASHING DEVICE, AND WITH SPECIALLY DECORATED TOP PLATE OR HUB FOR STORAGE APPLICATIONS WITH A VISUALLY OBSERVABLE DISK DRIVE The owner\*, HITACHI GLOBAL STORAGE TECHNOLOGIES, of .100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. \_\_\_\_10/668,895 \_\_\_\_ as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. The undersigned is an attorney or agent of record. Reg. No. 44,975 FEBRUARY 23, 2006 Signature Date MICHAEL E. NOE, JR 10668624 02/27/2008 HTECKLU1 00000086 502587 Typed or printed name 130.00 DA (512) 542-2135 Telephone Number Terminal disclaimer fee under 37 CFR 1.20(d) included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. \*Statement\_under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.